

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 15, 2008

VIA FACSIMILE

Honorable Shira A. Scheindlin
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: U.S. v. \$1,399,000 Formerly on Deposit in Account No. 3844,
08 Civ. 1993 (SAS)

Dear Judge Scheindlin:

The Government writes in connection with the above-captioned matter to request an extension of the deadline by which it must file a response to the motion to dismiss filed by the claimants in this action, and permission to make this request out of time. I am the Assistant U.S. Attorney assigned to this case, and I have responsibility for drafting the Government's memorandum of law in response to the motion to dismiss. At the March 26, 2008, initial pre-trial conference, the Court set April 14, 2008, as the due date for the Government's response, with any reply by the Claimant's to be filed two weeks later. Discovery in this case is proceeding pending decision on the Claimant's motion to dismiss.


In the wake of recent attorney absences in the Asset Forfeiture Unit, simultaneous discovery obligations in multiple forfeiture cases for which I am responsible, and consecutive deadlines for briefing before the Second Circuit Court of Appeals, I was not able to complete the Government's submission in time. The Government therefore respectfully requests a one-week extension of the time within which to file and serve its response, until Monday April 21, 2008. The Government apologizes for its oversight in failing to make this request prior to the response deadline, and respectfully asks that Your Honor consider the request out of time.

Request granted. The government may
now until April 21 and the "defendant"
until May 5 so reply. No further
extension for any reason. So ordered
USDC SDNY 4/15/08

I was informed today by Alan Silber, attorney for the Claimants, that they do not object to the Government's request for a one-week extension, on the condition that the Claimants still have the same two-week period in which to file any reply.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

By: 
Sharon E. Frase
Assistant United States Attorney
Telephone: (212) 637-2329

cc: Alan Silber, Esq.
Alan Fine, Esq.